

19. (New) A CD4-specific chimeric immunoglobulin fragment of Claim 4, wherein said fragment is an Fab fragment, Fab' fragment or F(ab')₂ fragment.

20. (New) A chimeric immunoglobulin or chimeric antigen binding fragment of Claim 5, which is an Fab fragment, Fab' fragment or F(ab')₂ fragment.

21. (New) A chimeric immunoglobulin or chimeric antigen binding fragment of Claim 6, wherein the murine antibody is monoclonal antibody M-T412.

22. (New) A chimeric immunoglobulin fragment of Claim 7, wherein the variable region is from the monoclonal antibody M-T412.

AD Cowl

REMARKS

Request for Clarification

Three groups were set forth in the Restriction Requirement as follows:

- I. "Claims 1-8 are drawn to chimeric antiCD4 antibodies . . ."
- II. "Claims 9-12 are drawn to DNA sequences and host cells containing said DNA . . ."
- III. "Claims 32-39 are drawn to a method of treatment . . ."

Group II (Claims 9-12) is said to be drawn to "DNA sequences and host cells containing said DNA sequences." However, Claims 9-12 are not drawn to "host cells," but to "fused genes" and expression vectors containing the fused genes. The Examiner is requested to clarify the subject matter encompassed by Group II for the record.

The subject application was filed with fifteen claims (Claims 1-15). In the Office Action Summary, it is stated that Claims 1-15 are pending. However, at page 2 of the Restriction Requirement, the Examiner indicates that Group III contains "Claims 32-39." Original Claims 13-15 are not included in any of the three groups defined by the Examiner. The Examiner is

requested to indicate to which groups Claims 13-15 are restricted, and to indicate which claims, if any, are classified in Group III for the record.

Amendments

Claims 8-12 are being cancelled without prejudice.

Support for reference to the "epitopic specificity of monoclonal antibody M-T412" can be found throughout the specification.

Claim 5, parts a) and b), have been amended to refer to an "antibody" instead of an "immunoglobulin," in view of the recitation of "antibody" in dependent Claim 6. These terms are used interchangeably.

Claim 15 has been amended to recite "M-T412". Support for the amendment can be found at page 16, lines 13 *et seq.*, for example.

Support for amendments to Claim 13 can be found at page 15, lines 21-24 and original Claim 1, for example.

Support for new Claims 16-22 can be found in the original claims.

Information Disclosure Statement

An Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry of the IDS and acknowledgment of consideration is respectfully requested.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Helen E. Wendler
Helen E. Wendler
Registration No. 37,964
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: March 17, 2003



MARKED UP VERSION OF AMENDMENTS

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

Claims 1-7 and 13-15 have been amended, Claims 8-12 have been cancelled, and new Claims 16-22 have been added.

1. (Amended) A CD4-specific chimeric immunoglobulin or chimeric antigen binding fragment thereof, said immunoglobulin or fragment having the epitopic specificity of monoclonal antibody M-T412 and comprising an antigen binding region of non-human origin and a constant region of human origin.
2. (Amended) A chimeric immunoglobulin or chimeric antigen binding fragment of Claim 1, wherein the antigen binding region is derived from a murine anti-CD4 immunoglobulin.
3. (Amended) A chimeric immunoglobulin or chimeric antigen binding fragment of Claim 2, wherein the antigen binding region is derived from a monoclonal antibody.
4. (Amended) [An] A CD4-specific [antigen binding fragment of a] chimeric immunoglobulin [of Claim 1] fragment, wherein said fragment has the epitopic specificity of monoclonal antibody M-T412 and comprises an antigen binding region of non-human origin and at least a portion of a constant region of human origin.

5. (Amended) A chimeric immunoglobulin or chimeric antigen binding fragment thereof,
wherein said immunoglobulin or fragment is specific for CD4, has the epitopic specificity of
monoclonal antibody M-T412, and comprises [comprising]:
 - a[.] at least one chimeric heavy chain comprising an antigen binding region derived from
the heavy chain of a non-human [immunoglobulin] antibody specific for CD4
receptor linked to at least a portion of a human heavy chain constant region, the
heavy chain being in association with:
 - b[.] at least one chimeric light chain comprising an antigen binding region derived from a
light chain of the non-human [immunoglobulin] antibody linked to at least a portion
of a human light chain constant region.
6. (Amended) A chimeric immunoglobulin or chimeric antigen binding fragment of Claim 5,
wherein the antigen binding region is derived from a murine antibody.
7. (Amended) A chimeric immunoglobulin [fragment] Fab, Fab' or F(ab')₂ fragment which
has the epitopic specificity of monoclonal antibody M-T412 and comprises [comprising] a
[murine] non-human variable region of an antibody which is specific for the CD4 receptor
[complex] and a human constant region.
13. (Amended) A method of therapy for an autoimmune disorder, [compromising] comprising
administering to a patient [therapeutic amounts] a therapeutically effective amount of a
CD4-specific chimeric immunoglobulin or chimeric [immunoglobulin] antigen binding
fragment of Claim 1 [comprising an antigen binding region of non-human origin specific for
CD4 and a human constant region].

14. (Amended) [A] The method of Claim 13, wherein the [antigen-binding] antigen binding region is derived from a murine anti-CD4 immunoglobulin.
15. (Amended) [A] The method of Claim 13, wherein the murine anti-CD4 immunoglobulin is monoclonal antibody [MT412] M-T412.